

UNITED STATES BANKRUPTCY COURT
DISTRICT OF SOUTH CAROLINA

IN RE:)
MICHAEL LINN CONNELLY ***-**-6726)
ABBIE LAW CONNELLY ***-**-6568) Chapter 13
Debtors.) Bankruptcy No. 14-01233
)

OBJECTION TO CLAIM AND MEMORANDUM IN SUPPORT

Debtors herein have filed a Chapter 13 Petition and Plan. The Debtors' plan provides for treatment of all allowed claims. 11 U.S.C. Section 502(a) provides that: "A claim or interest, proof of which is filed under Section 501 of this title, is deemed allowed, unless a party in interest...objects." Section 502(b)(1) provides that the Court may disallow a claim if "such claim is unenforceable against the debtors and property of the debtors, under any agreement or applicable law for a reason other than because such claim is contingent or unmatured." Debtors hereby objects to the claim of Ocwen Loan Servicing, LLC ("Creditor"), claim 4.

Creditor has filed a claim herein for \$71,174.54 representing that \$11,335.35 of that debt represents pre-petition arrearage. However, the claim was filed on December 23, 2014. The deadline to file a Proof of Claim in the instant case, pursuant to Bankruptcy Rule 3002(c), was July 7, 2014. Due to the failure of Creditor to file a claim in the instant case, claim 3-1 was filed by Debtor on Creditor's behalf. Creditor's claim should be disallowed as it was not timely filed and the claim filed by Debtor should control.

Therefore, Debtor objects to the claim of Creditor and asks that Creditor's claim be disallowed and that the claim filed by Debtor be allowed to control disbursement to Creditor from the Trustee.

DROSE LAW FIRM

BY: 

Ann U. Bell

District Court I.D. #10372

Attorney for Debtors

3955 Faber Place Drive, Suite 103

Charleston, SC 29405

(843) 767-8888

Charleston, South Carolina
Date: January 28, 2015

UNITED STATES BANKRUPTCY COURT
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IN RE:)
MICHAEL LINN CONNELLY ***-**-6726)
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NOTICE OF OBJECTION TO CLAIM

The above-referenced Debtors, by and through their attorney, have filed an objection to your claim in this bankruptcy case.

Your claim may be reduced, modified or eliminated. You should read these papers carefully and discuss them with your attorney, if you have one.

If you do not want the court to eliminate or change your claim, then **on or before thirty days from the date of this mailing**, you or your lawyer must:

File with the court a written response to the objection, explaining your position. Your written objection should be captioned as above, and mailed to:

J. Bratton Davis U.S. Bankruptcy Courthouse
1100 Laurel Street
Columbia, SC 29201.

If you mail your response to the court for filing, you must mail it early enough so that the court will receive it on or before the date stated above.

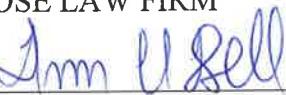
You must also mail a copy to:

Ann U. Bell
3955 Faber Place Drive, Suite 103
Charleston, SC 29405

PLEASE TAKE FURTHER NOTICE that no hearing will be held on this motion or application unless a response, return and/or objection is timely filed and served, in which case, the Court will conduct a hearing on **April 2, 2015 at 9:00 a.m.** at 145 King Street, Room 225, Charleston, SC 29401. No further notice of this hearing will be given.

If you or your attorney do not take these steps, the court may decide that you do not oppose the objection to your claim.

DROSE LAW FIRM

BY: 

Ann U. Bell, I.D. #10372

Attorney for the Debtor

3955 Faber Place Drive, Suite 103

Charleston, SC 29405

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Date: January 28, 2015

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 28th day of January, 2015, I served the necessary parties in this matter a copy of the Objection to Claim, Notice, and the Proposed Order by doing the following:

- (1) Mailing, by depositing said documents in an envelope with sufficient first-class postage affixed, to the affected creditor Ocwen Loan Servicing, LLC, at the following address: Attn: Bankruptcy Department, P.O. Box 24605, West Palm Beach, FL 33416.
- (2) Using CM/ECF to provide the same documents to the Chapter 13 Trustee, James M. Wyman.

/s/Jessica Howard
Office Personnel

Label Matrix for local noticing

0420-2

Case 14-01233-jw

District of South Carolina

Charleston

Tue Jan 27 16:46:43 EST 2015

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Drose Law Firm

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Charleston, SC 29405-8565

Brock and Scott

Attn: Richard Duerinckx

3800 Fernandina Road, Ste 110

Columbia SC 29210-3838

Michael Linn Connelly

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Summerville, SC 29483-2819

Abbie Law Connelly

121 Oakdale Drive

Summerville, SC 29483-2819

Craig N. Little DMD

403 W 4th North St, Unit A

Summerville SC 29483-6552

Dorchester County Tax Collector

PO Box 338

Saint George SC 29477-0338

R. Michael Drose

3955 Faber Place Drive

Suite 103

North Charleston, SC 29405-8565

Ocwen

PO Box 24646

West Palm Beach FL 33416-4646

Ocwen Loan Servicing, LLC

1661 Worthington Road, Suite 100

West Palm Beach, FL 33409-6493

REGIONAL MANAGEMENT CORPORATION

PO BOX 776

MAULDIN, SC 29662-0776

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Regional Finance

115 East Richardson Avenue

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SC Department of Revenue

PO Box 12265

Columbia SC 29211-2265

Santander Consumer USA

P.O. Box 961245

Ft Worth, TX 76161-0244

Santander Consumer USA

PO Box 105255

Atlanta GA 30348-5255

The Bank of New York Mellon Trust Company, N

c/o Ocwen Loan Servicing, LLC

US Trustee's Office

Strom Thurmond Federal Building

1835 Assembly Street

Suite 953

Columbia, SC 29201-2448

James M. Wyman

PO Box 997

Mount Pleasant, SC 29465-0997

End of Label Matrix

Mailable recipients 18

Bypassed recipients 0

Total 18